

CASE SUMMARY

Conditional District Rezoning

MEETING:	Planning Commission June 6, 2012
CASE NO:	CD-9-512
SITE ADDRESS:	1410 and 1420 South 14 th Street and a portion of the rights-of-way of South 13 th and South 14 th streets
PROPOSAL:	To rezone from MF-M, Multi-family Residential District to O&I-1(CD), Office and Institutional-1 (Conditional District) for the development of a primary school
PRESENTED BY:	Dawn M. Snotherly, Associate Planner
STAFF RECOMMENDATION:	DENIAL

GENERAL INFORMATION

Applicant:	Coastal Habitat Conservancy LLC 3610 Thaddeus Lott lane Leland, NC 28451	
Owner:	The East Carolina Bank 1816 Progress Road Greenville, NC 27834	
Current Zoning:	MF-M, Multiple-family Residential District	
Lot Size:	0.86 of an acre – 1410 South 14 th Street 1.14 acres – 1420 South 14 th Street 0.20 of an acre – South 13 th Street right-of-way <u>0.40 of an acre – South 14th Street right-of-way</u>	
Total Area	2.6 acres	
Existing Land Use(s):	Vacant	
Surrounding Land Use & Zoning:		
NORTH	Multi-family	MF-M
SOUTH	Right-of-way, multi-family	MF-M
EAST	Right-of-way, religious institution	O&I-1
WEST	Right-of-way, multi-family	MF-M

ZONING HISTORY

The site is within the 1945 corporate limits; there is no known zoning history for the site.

ANALYSIS / SUMMARY

The applicant proposes to rezone the subject site and the abutting rights-of-way of South 13th and South 14th streets from MF-M to O&I-1 (CD) for the development of a primary school serving approximately 450 students in the primary grade levels. Development of the site would be in two phases; phase one would be the construction of building A, a two-story, 26,656-square-foot structure with 24 classrooms. Phase two would be the construction of building B, a two-story 11,424-square-foot structure with 8 classrooms. A total of 41 parking spaces for faculty and staff are proposed to serve the use. Access to the school would be from South 13th and South 14th streets, with South 14th Street serving as the primary access during periods of student drop-off and pick-up. A playground for outdoor recreation is proposed for the southeast corner of the site adjacent to the Greenfield Street/S. 14th Street intersection. New sidewalks would be constructed along Greenfield and South 14th streets. The building setback requirements for primary schools under the MF-M zoning are more restrictive than those for the O&I-1 district, which the applicant believes imposes development constraints for the project and is the primary rationale for the rezoning request.

The Multi-family Residential districts are established for moderate-density single-family and multiple-family developments of varying types and designs. It functions as a transitional land use between intensive nonresidential uses or higher-density residential areas and lower-density residential areas. The district is designed to respond to the varying housing needs of the community while affording a reasonable range of choice, type and location of housing units within the city. Primary and secondary schools are permitted in the MF-M zoning district by special use permit.

The purpose of the Office and Institutional districts is to provide areas that are conducive to the establishment and operation of institutional, office and limited commercial activities not involving the sale of merchandise. Standards are designed so that these districts, in some instances, may serve as transitions between residential districts and other commercial districts. The principal means of ingress and egress for uses in the districts shall be along collector roads, minor arterials, and/or major arterials as designated on the city's thoroughfare plans. South 13th Street is a collector street; Greenfield Street is a minor thoroughfare.

TECHNICAL REVIEW

The Technical Review Committee (TRC) reviewed the conceptual plan on November 28, 2011 and provides the following comments:

Public Utilities:

The site has access to public (CFPUA) water and sewer mains. Public water would be available by utilizing existing 8-inch water mains located in either South 13th Street or Greenfield Street. The project design calls for the extension of an 8-inch sewer line main

from Martin Street. Sewer is also available on South 15th Street. The capacity of the pump station serving this area is sufficient to serve the project.

Parking:

A minimum of 40 parking spaces (one space per teacher and staff member) is required. A maximum of 53 parking spaces is allowed. The applicant is proposing 41 parking spaces, including two handicapped, van-accessible spaces. Five bicycle parking spaces are proposed for the site. Given the anticipated student population, it is recommended that additional bicycle parking be provided. A drop-off/pick-up area is proposed along the front (western elevation) of building A, adjacent to the principal parking lot. According to the applicant's application, primary ingress to the site would be off S. 14th Street in order to allow for 750 linear feet of vehicle stacking serving the student drop-off/pick-up area.

Stormwater:

The proposed project would create newly constructed built-upon area of 47,743 square feet. The project design would include the construction of an underground stormwater infiltration system, which would be reviewed for compliance with the city's stormwater management regulations.

Wetlands:

Approximately 4,056 square feet of wetlands have been identified on the property. In order to develop the site, the applicant is requesting to fill the wetland area, necessitating permitting from the Army Corps of Engineers. Planning staff will work with the applicant and the Corps to ensure compliance with all applicable wetland regulations.

Landscaping, Buffering and Tree Protection:

The tree survey submitted by the applicant indicates that the site is heavily wooded. Given the proposed built-upon area, a number of regulated trees are proposed for removal; however, the project design would preserve a number of trees in the playground area, along the northern and eastern boundary of the site, and a double-trunk 20-inch oak in a driveway island off South 14th Street. All trees proposed for preservation shall be protected with required tree protection fencing during construction. Trees within the footprint of building B should be preserved until the building's construction. Streetyards would be provided along all street frontages. An 8 to 10-foot solid wooden fence is proposed along the northern property line as well as a 20-foot bufferyard. The bufferyard would be reduced to 10 feet in the northeast corner of the site where the South 14th Street driveway is designed to preserve the double-trunk 20-inch oak tree.

Traffic and Transportation:

Ingress and egress to the site would be provided by two-way driveways from South 13th and South 14th streets. No driveway connection is proposed for Greenfield Street.

Table 1 provides estimated trip generation based on the proposed use and maximum development under the current zoning. Table 2 shows the current levels of service for South 13th, South 14th, and Greenfield streets. The proposed development is expected to increase vehicle trips by approximately 227 trips per day over development as zoned. A traffic impact analysis (TIA) is required for the project based on the estimated number of trips the use is expected to generate. The TIA is currently under review by the North Carolina Department of Transportation (NCDOT), as well as city and Wilmington Metropolitan Planning Organization (WMPO) staff.

Table 1: Estimated Trip Generation

Zoning	Land Use	Build-Out	7-9 AM Peak-Hour Volume Trips	4-6 PM Peak-Hour Volume Trips	Average Daily Trips
Existing MF-M	Vacant	34 units*	20	36	330
Proposed O&I-1(CD)	Primary school	38,080 sf school bldg/450 students and 40 staff members**, no bus traffic	369	148	557
		Difference	349	112	227

* Based maximum density; ** Based on figures provided by the applicant

Source: Institute of Transportation Engineers Trip Generation, 8th Edition, 2008. TRIP GENERATION BY MICROTRANS

A level of service (LOS) standard measures the quality, effectiveness, or performance of a public service or facility. An LOS category “A” means that the road is an excellent traffic flowing stream, while a category “F” is an unacceptable traffic flowing stream. Table 2 details the current volume and capacity of Greenfield, South 13th, and South 14th streets. The portions of South 13th and South 14th streets adjacent to the site have volume to capacity ratios of 0.27 and 0.02, respectively. Both streets are operating below their design capacities, at LOS categories in the A to B range. Greenfield Street has a volume to capacity of 0.52 and is currently operating at an average design capacity, for a LOS category C.

Table 2. Current Volumes, Capacities and Levels of Service

Road	Location	Count Volume	Count Date	Estimated Capacity	V/C Ratio	Estimated LOS
Greenfield Street	Between S. 13 th & 14 th streets	6,392	3/27-3/30/12	12,300	0.52	C
S. 13 th Street	Between Greenfield & Martin streets	2,780	3/27-3/30/12	10,200	0.27	A/B
S. 14 th Street	Between Greenfield & Martin streets	164	4/2-4/3/12	10,200	0.02	A

Source: Volume counts by WMPO Traffic Count Program, capacity by NCDOT

While all three street are operating at a level of service of C or above, a review of the impacts that additional trips the use is projected to generated will require further analysis through the TIA process. Although the TIA is still under review, staff has concerns regarding the adequacy of internal queuing/stacking space; recommendation from the TIA may result in traffic and site design improvements to offset increased demand.

JUSTIFICATION

SouthSide Small-Area Plan

The subject site is designated on the *Recommended Land Use Map* for rezoning to UMX, Urban Mixed-Use zoning. The proposed UMX district is intended to facilitate infill development and redevelopment in the 1945 corporate limits that is compatible with the unique, urban context of the area. It is intended to require a mix of uses, respect the built environment and historic development patterns, and encourage the adaptive reuse of viable historic buildings.

While the standards for the new UMX zoning district are still in the development stages, the process of defining those standards has begun. Planning staff has held three public input meetings, with additional meetings scheduled through the summer to continue work with stakeholders to craft provisions for the new district. Now that the planning process has begun to formulate provisions for the UMX district, staff believes it is critical to allow time to for the adoption of new guidelines for future urban development and implementation of the goals of the SouthSide Small-Area Plan.

The Wilmington Future Land Use Plan 2004-2025:

The subject site is identified on the Future Land Use Plan (FLUP) map as a Varied Use-Small Tract Infill site. According to the FLUP, these types of infill areas may be developed as zoned or considered for rezoning to new uses that will enhance the functionality and promote the economic vitality of the surrounding area. The site is identified on the Redevelopment Areas map as a Tier 2 Redevelopment Area that incorporates most of the Greenfield Avenue corridor. These areas are generally characterized by declining or marginal commercial enterprises. Tier 2 areas are targeted for upgrade on an opportunistic basis when the use changes.

The following FLUP policy directives are relevant to this request:

Infill

Guiding Principle 3- Infill of Small-Tract Varied Use Areas

Strategy 3.1.4

Develop and utilize zoning districts that allow smaller neighborhood-scale businesses and that incorporate site and building design regulations to ensure that infill development will retain aesthetic as well as functional compatibility with surrounding development.

Redevelopment

Guiding Principle 1

Redevelopment of underutilized or abandoned properties to a more viable use or improves form and function will contribute to an increased property tax base and is critical to the economic viability of Wilmington. The redevelopment of targeted areas by expanding, renovating, or entirely replacing these commercial properties is a priority.

Applicability: The FLUP identifies the site as a Tier Two redevelopment area and a varied use area. The goals and objectives of the SouthSide Small-Area Plan took the FLUP one step further by providing an opportunity for neighborhood planning in a smaller geographic area. This planning process provided for a more in depth study of land uses, development patterns, and community issues, and provided citizens an opportunity to development long-term goals and strategies to increase the citizens' quality of life. Development of the site for a mix of uses that are compatible and support the need for goods and services for the surrounding community, utilizing the design guidelines of a UMX district would be consistent with the adopted goals and strategies of the community based FLUP as well as the neighborhood based SouthSide Small-Area Plan.

CONCLUSION

The SouthSide Small-Area Plan recognizes the unique development opportunities that an urban mixed-use zoning district provides as its theme is woven throughout the goals, objectives and strategies of the plan. When the recommended land use map was created as a part of this plan, this site was identified as a candidate for implementing the standards for a new Urban Mixed-Use zoning district. To rezone the subject site at a stage when the adoption of a UMX zoning tool is now within sight would negate the work of the neighborhood planning process that culminated in the adoption of the SouthSide Small-Area Plan.

Due to the need to provide for development standards more in keeping with the urban character of the surrounding area, as well as the goals and objectives of the Future Land Use Plan and SouthSide Small-Area Plan, staff recommends **denial** of the request. Should the Planning Commission decide to recommend approval of the request, staff recommends the following conditions:

1. The use and development of the subject property shall comply with all regulations and requirements imposed by the Land Development Code, the City of Wilmington Technical Standards and Specifications Manual and any other applicable federal, state or local law, ordinance or regulation, as well as any condition stated below. In the event of a conflict, the more stringent requirement or higher standard shall apply.
2. Approval of this rezoning request does not constitute technical approval of the site plan. Final approval by the Technical Review Committee and the issuance of all required permits must occur prior to release of the project for construction.
3. If, for any reason, any condition for approval is found to be illegal or invalid or if the applicant should fail to accept any condition following approval, the approval of the site plan for the district shall be null and void and of no effect and proceedings shall be instituted to rezone the property to its previous zoning classification.
4. The use and development of the subject property shall be in accordance with the plan as submitted April 10, 2012 and approved. The permitted use shall be restricted to a primary school.
5. A bufferyard in accordance with Article 8 of the Land Development Code shall be installed along the northern boundary of the site adjacent to multi-family residential use.
6. All trees under the footprint of building B as shown on the site plan dated April 10, 2012 shall be preserved until said building is constructed.

7. The applicant must obtain a fill permit from the Army Corps of Engineering prior to conducting any fill or grading activity on the site.
8. All traffic improvements required by the traffic impact analysis must be installed and approved prior to the issuance of a certificate of occupancy for any building on the site.
9. No driveways to Greenfield Street shall be allowed on this site.
10. Exterior site lighting shall be installed so as not to shine directly onto residentially used or zoned property.
11. Signs shall be limited to wall or ground-mounted monument style only, changeable copy signs are prohibited. Signs shall not be internally illuminated.
12. All city, state and federal regulations shall be followed.

NEIGHBORHOOD CONTACT

City Notifications:	Planning Commission
Signs Posted	4/18/12, 5/3/12
Adjacent Letters	4/18/12, 5/23/12
Advertisement Dates	4/24/12, 6/1/12

General Inquiries: Phone call received from a citizen about the proposed school's traffic impact on the surrounding area.

Community Meeting: 4/16/2012

ACTIONS TO DATE

Planning Commission: Scheduled for public hearing 6/6/12

At the request of the applicant, the item was continued until June 6, 2012.

ATTACHMENTS

1. Application (received 3/22/12)
2. Location and land use map (dated 4/3/2012)
3. Aerial photograph (dated 4/3/2012)
4. SouthSide Small-Area Map (dated 4/3/2012)
5. Future Land Use Plan Redevelopment Areas Map (dated 4/3/2012)
6. Site plan (dated 4/10/12)
7. Community meeting report (received 4/23/12)

CONDITIONAL DISTRICT REZONING

APPLICATION FOR CHANGE OF ZONING OF PROPERTY

City of Wilmington, NC
Planning Division

P. O. Box 1810, 305 Chestnut St, Wilmington, NC 28402
Telephone: (910) 254-0900 FAX: (910) 341-3264

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Section A. APPLICANT INFORMATION

MAR 22 2012

The petitioner requests that the City of Wilmington Zoning Map be amended as indicated below.

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NAME OF APPLICANT/PETITIONER: Coastal Habitat Conservancy LLC

MAILING ADDRESS OF APPLICANT: 3610 Thaddeus Lott Lane, Leland, NC 28451

PHONE NUMBER/E-MAIL OF APPLICANT: 910-655-3600 , bamjr@rogerbacon.net

PROPERTY OWNER INFORMATION (If different from the applicant):

Name(s) The East Carolina Bank

Address: 1816 Progress Road, Greenville, NC 27834

ZIP _____

Telephone: 1-800-849-2265

FAX: _____

E-Mail Address: _____

PROPERTY INFORMATION: The following information is required to provide the necessary information to process the rezoning request:

ADDRESS OF SUBJECT SITE: 1410 - 1420 South 14th Street, Wilmington, NC 28401

NEW HANOVER CO. PROPERTY IDENTIFICATION # (PIN): R05414-021-002-000, R05414-021-003-000

CURRENT ZONING DISTRICT(S): MF-M

PROPOSED ZONING DISTRICT(S): O&I-1 (CD) *or*

TOTAL SITE ACRES/SQUARE FEET: 87,120 sf, 2 acres PLUS 0.60 OF AN ACRE IN R/O/US

PROPOSED USE(S) AND PROPOSED CONDITIONS FOR THE SITE: This proposed conditional-use rezoning application is to develop a Charter School on the subject site. The school would service both local and neighboring communities & have the potential to service 450 students & 35-40 staff.

The main point of ingress to the site is off of 14th street across from an existing church. The proposed plan incorporates (2) buildings in the center of the site with a 41 car parking lot that allows for a smooth transition from the existing streets that would offer over 750 lineal feet of vehicle stacking. The southeast corner of the tract would be left in its natural state and be used as a children's playground. The proposed layout creates a functional scheme that allows for very little intersections between pedestrian and vehicular circulation. The proposed driveway locations are located to minimize the impact on the existing vehicular flow around the site.

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It is important that the applicant provide information to explain how the rezoning request satisfies the following questions. Please use attachments if necessary:

1. **What changed or changing condition(s) justifies the passage of the amendment?** (Discuss how circumstances have so changed since the property was last zoned).
The redevelopment of some of the City of Wilmington's older communities has been in forefront of the many changes happening within the city limits. Much of the housing surrounding the subject property is public housing and has been for some time. Adding services like schools into these areas will create activity that older neighborhoods need as a catapult to begin the redevelopment process. The adoption of the Southside Small Area Plan in March of 2009 was a stepping stone in this process.
2. **Explain how the map amendment would be consistent with the city's Future Land Use Plan and adopted special area plans (i.e. corridor plans, neighborhood plans, Vision 2020 Plan, etc).**

The subject site lies within a region with the City of Wilmington known as the "Dry Pond".

This area was part of a comprehensive study for the Southside Small Area Plan adopted by the Wilmington City Council on September 1st, 2009. This plan recommends that this tract would be suitable for urban mixed use zoning and the adjacent parcels around this site suitable for maintaining office & institutional & light industrial uses. A school to service the high density housing and transition to the existing light industrial zoning surrounding the tract would be a perfect candidate for meeting the goals and objectives of the adopted small area plan adopted for this part of the City of Wilmington.

3. **Explain briefly the expected effect on the neighborhood if the proposed zoning map amendment is approved.**

If the proposed zoning map amendment is approved we feel that the proposal to add a school on the 2-acre parcel would be a benefit to the surrounding community. The use would create a walkable service that the children living in this part of the city will identify with.

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4. **Other circumstances which tend to justify the amendment in the public interest.**
Under the City of Wilmington Land Development Code Schools are a permitted use under the current MF-M zoning. We are asking for the rezoning to allow us additional flexibility in the design. We feel the proposed plan is respectful of the sites existing conditions as well as the surrounding land uses.

Section B. SUBMITTAL INFORMATION AND PROCEDURE

- (1) Supplementary Information is **REQUIRED** as part of the application. See Section C below for required information.
- (2) The petition **MUST** be reviewed by the Planning Division for completeness PRIOR to the acceptance of any application or petition. Please do not simply leave your application materials without speaking to a Planner. If you do, your application may not be processed and your request might not be considered at the next Planning Commission meeting.

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- (3) A fee in accordance with the approved fee schedule, payable to the City of Wilmington, must accompany the application.
- (4) The Planning Commission will consider the application, if properly completed, at their next regular meeting. The petitioner or his/her agent should appear at the meeting. Meetings are held at 6:00 P. M. in the Council Chambers, City Hall, 3rd and Princess Streets, Wilmington, North Carolina, usually on the first Wednesday of each month. Petitioners will be informed of any change in date, time or location of meetings. **Petitions and the required supplementary information must be received in the Planning Division, 305 Chestnut Street, Wilmington, NC 28401, thirty (30) working days before the Planning Commission meeting** to allow time for processing and advertisement as required the North Carolina General Statutes.
- (5) Before a public hearing may be held on the petition, **the applicant must file**, in the office of the City Clerk (a copy to the Planning Division), **a written report of at least one community meeting** held by the applicant. Please use the **attached "Report of Community Meeting"** for the report. **No other document will be accepted.** The community meeting **shall be held prior to** the to the Planning Commission's consideration of the petition. Written notice of such a meeting shall be given to the property owners and organizations entitled to notice as determined by policies approved by the City Council. **The report shall include**, among other things, a listing of those persons and organizations contacted about the meeting, a roster of the persons in attendance, a summary of issues discussed, and a description of any changes to the rezoning petition by the applicant as a result of the meeting. In the event the petitioner has not held at least one meeting as required, the applicant shall file a report documenting efforts that were made to arrange such a meeting and stating the reasons such a meeting was not held. The adequacy of a meeting held or report filed shall be considered by the City Council but shall not be subject to judicial review.

Section C. SUPPLEMENTAL INFORMATION REQUIRED WITH THE APPLICATION

PLEASE INCLUDE ALL OF THE FOLLOWING (CHECK OFF). Please check the list below carefully before you submit:

- ☒ Completed application form;
- ☒ Agent form if the applicant is not the property owner;
- ☒ Ten (10) 24" X 36" copies of the site plan and one (1) 11" X 17" of the site plan (See Section D below for the minimum amount of information required on the site plan);
- ☒ A boundary survey and vicinity map showing the property's total acreage, its zoning classification(s), the general location in relation to major streets, railroads, and/or waterways, the date and north arrow;
- ☒ Legal description of property requested for rezoning, by metes and bounds;
- ☒ Application fee (checks payable to the City of Wilmington);
- ☒ List of the names of owners, their addresses and the tax parcel numbers of the properties within 100 feet of the subject property, including those separated by a street right-of-way;
- ☒ Two sets of business-size envelopes pre-addressed to the property owners within 100 feet of the subject property with the Planning Division's return address. All envelopes must have postage and metered postage must be *undated*. The Department account number, 2670-419, must be shown just below the return address. This will assure any returned letters will come to this Department.
- ☒ Copy of the New Hanover Tax map which delineates the property requested for rezoning.

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Section D. REQUIRED INFORMATION TO BE INCLUDED ON THE SITE PLAN

The following information is required to be shown on the site plan submitted with this application. If, for some reason, any of the required items below are not included on the site plan, reasons for excluding those requirements must be given.

- ☒ Approximate location on the site of proposed buildings, structures and other improvements;
- ☒ Approximate dimensions, including height of proposed buildings and other structures;
- ☒ All existing easements, reservations and rights-of-way;
- ☒ Proposed use of land and structures, including the number of residential units and the total square footage of any nonresidential development;
- ☒ All existing and proposed points of access to public streets;
- ☒ Generalized traffic, parking and circulation plans;
- ☒ Approximate location of all existing and proposed infrastructure on the site including water, sewer, roads and pedestrian walkways;
- ☒ All yards, buffers, screening, and landscaping required by the Land Development or proposed by the petitioner;
- ☒ Delineation of areas within the regulatory floodplain as shown on the official flood hazard boundary maps for the City of Wilmington; adjoining property lines;
- ☒ Tree survey, if required by the Land Development Code;
- ☒ Site Inventory as required by Land Development Code;
- ☒ Proposed phasing, if any;
- ☒ The names and deed references of current adjoining property owners;

Note that in the course of evaluating the proposal, staff, the Planning Commission or the City Council may request additional information from the applicant. The additional information may include the following:

- Proposed screening, buffers and landscaping over and above that required by the Land Development Code, as well as proposed treatment of any existing natural features;
- Existing and general topography, at four-foot contour intervals or less;
- The location of significant trees on the subject property;
- Scale of buildings relative to abutting property;
- Building elevations and exterior features of proposed development;
- Any other information needed to demonstrate compliance with the Land Development Code;
- Proposed number and locations of signs.

MAR 22 2012

OWNER'S SIGNATURE*: In filing this application for a zoning map amendment, I/we as the property owner(s), hereby certify that all of the information presented in this application is accurate to the best of my knowledge, information and belief. I hereby designate Coastal Habitat Conservancy LLC to act on my behalf regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf and to speak for me in any public meeting regarding this application.

Signature/Date:

Robert M. Milam, Vice President

PLANNING DIVISION	
DATE RECEIVED	3/22/12
PLANNER	SMO
CASE FILE #	CD-9-512
FEE PAID \$	640.00

AUTHORITY FOR APPOINTMENT OF PERSON
TO ACT ON MY BEHALF

The undersigned owner, The East Carolina Bank, does hereby appoint Coastal Habitat Conservancy, LLC to act on my behalf for the purpose of making application to the City of Wilmington Historic Preservation Commission for a Certificate of Appropriateness on the property described in the attached petition.

The owner does hereby covenant and agree with the City of Wilmington that said person has the authority to do the following acts for and on behalf of the owner:

- (1) To submit a proper petition and the required supplemental materials:
- (2) To appear at public meetings to give testimony and make commitments on behalf of the owner; and
- (3) To accept conditions or recommendations made for the issuance of the Certificate of Appropriateness on the owner's property.
- (4) To act on the owner's behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of any application for a Certificate of Appropriateness under the City of Wilmington Zoning Ordinance.

This appointment agreement shall continue in effect until final disposition of the petition submitted in conjunction with this appointment.

Date: 3-2-12

Appointee's Name, Address & Telephone:

Coastal Habitat Conservancy, LLC

3610 THADDEUS LOTT LANE

LOLAND, NC 28451

910-655-3600

Signature of Owner: TL East Carolina Bank

For M. M. Lott V.P.

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PLANNING DIVISION

Conditional District Rezoning Request

CD-9-512

1410-1420
S 14th St

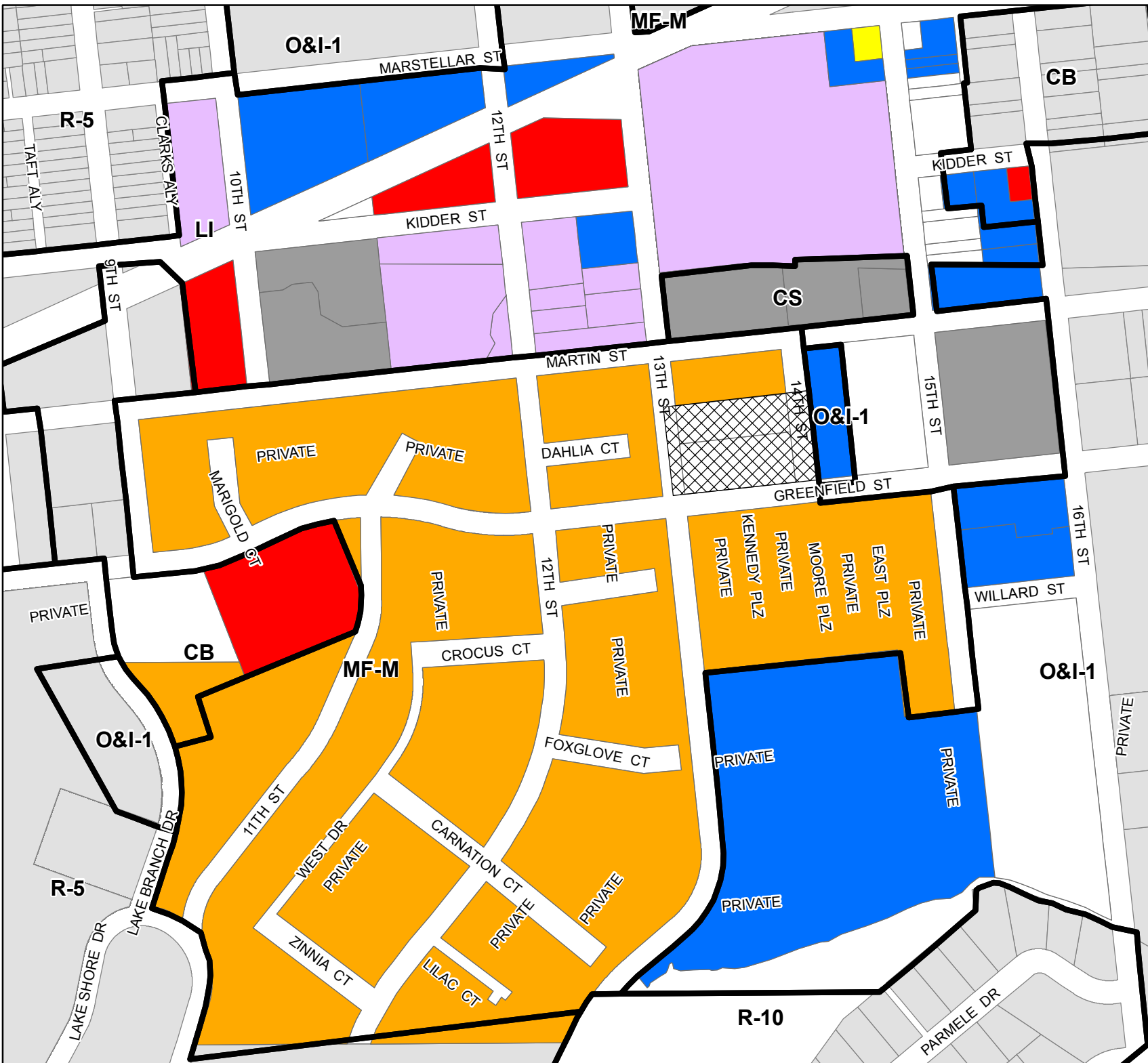


-  Site
-  Single Family
-  Multi Family
-  Industrial
-  Utilities
-  Commercial
-  Office & Institutional
-  Vacant
-  Zoning



Date: 4.3.12

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Conditional District Rezoning Request

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1410-1420
S 14th St

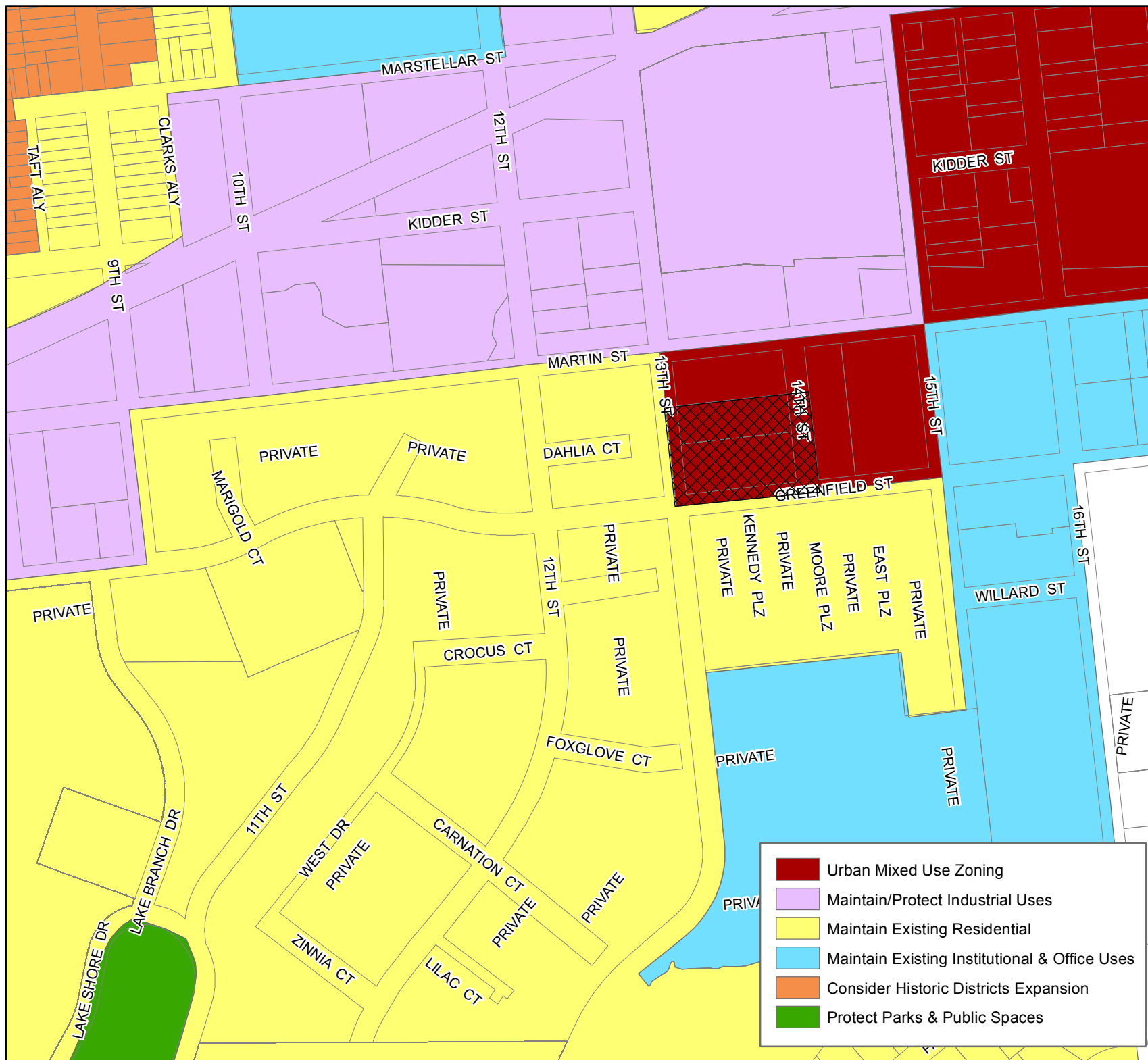


Date: 4.3.12

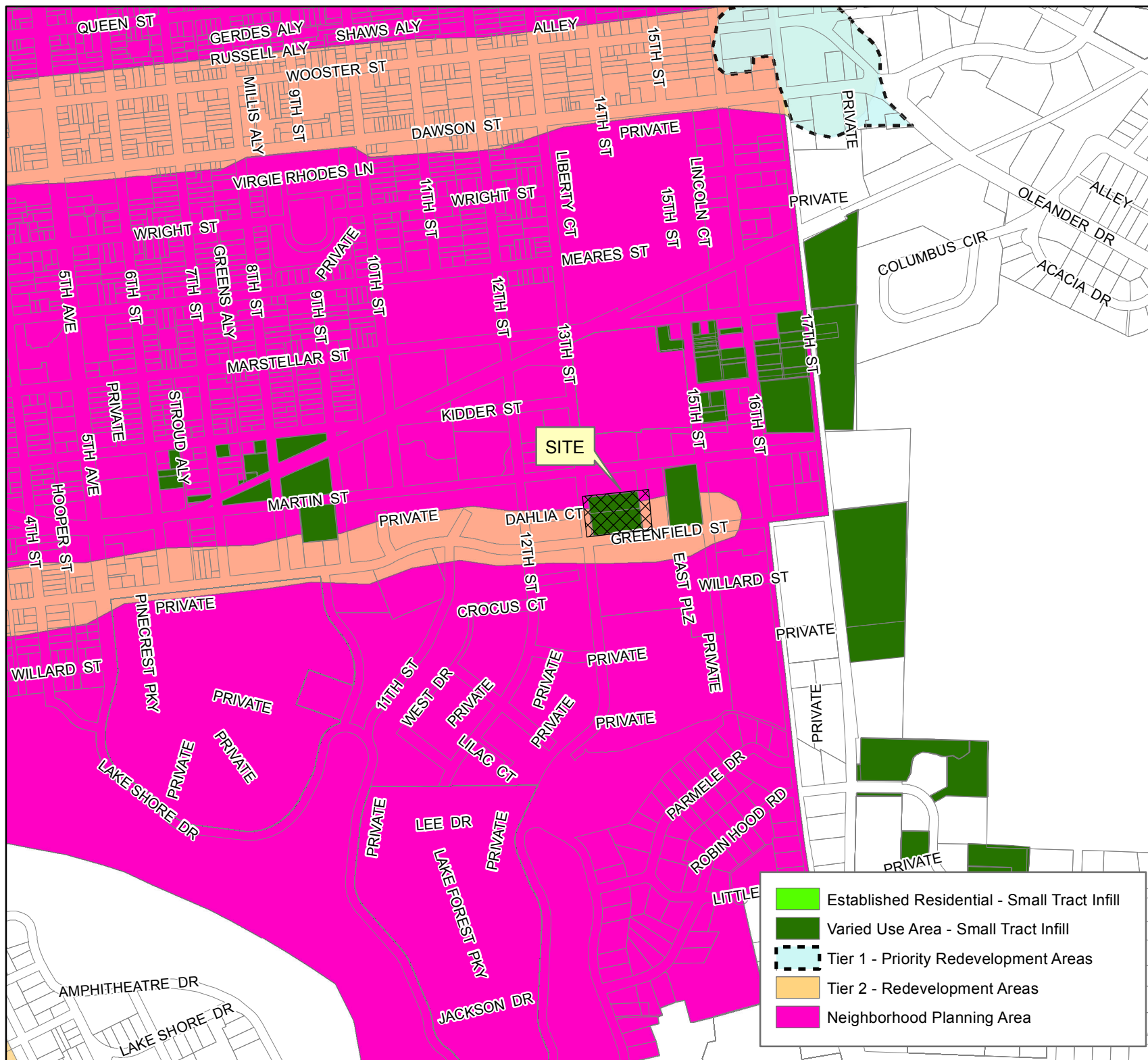
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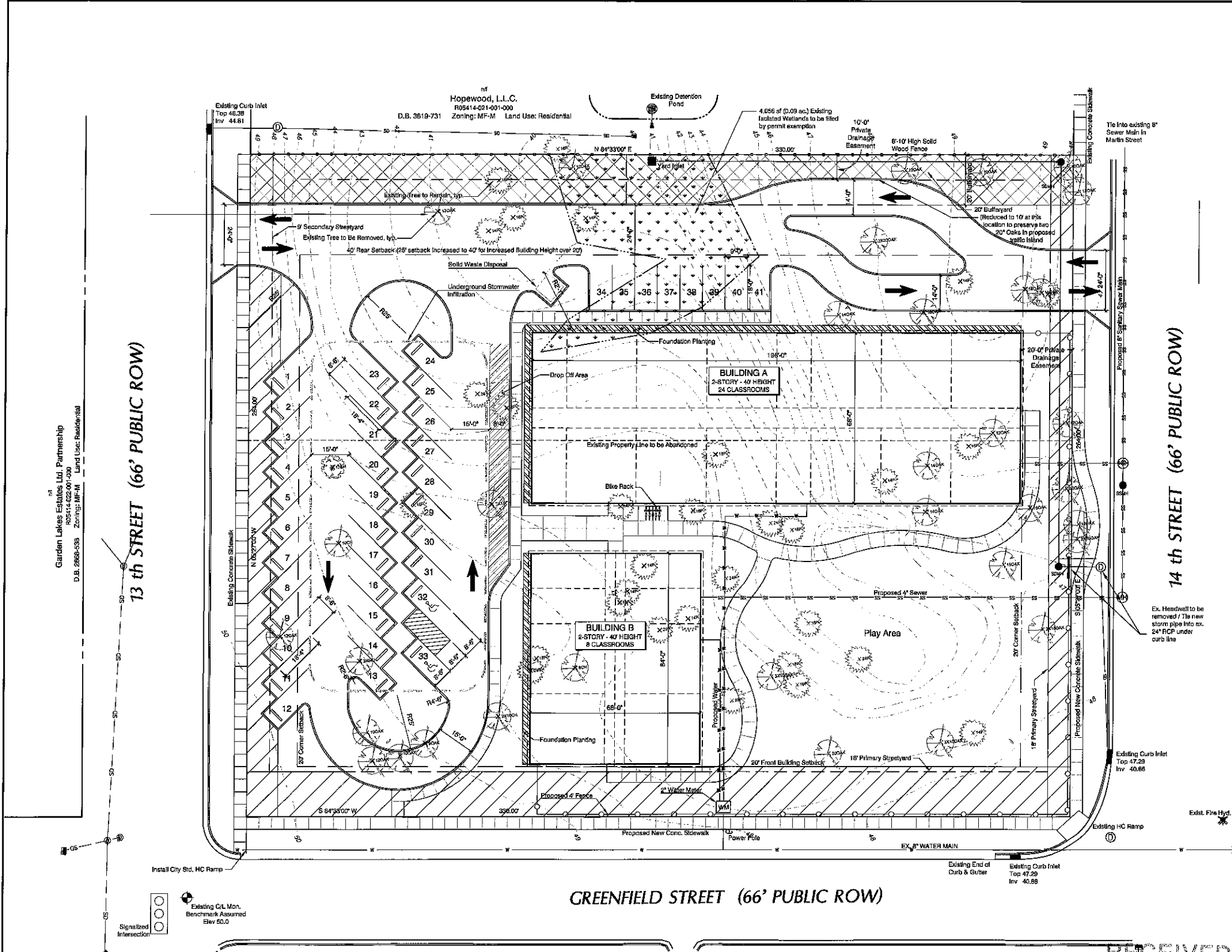


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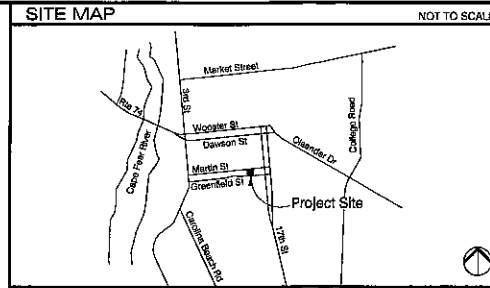




of
Garden Lakes Estates Ltd. Partnership
R05414-004-002-000
D.B. 2668-538
Zoning: MF-M
Land Use: Residential

Wilmington Housing Authority
R05418-005-001-000
D.B. - Zoning: MF-M Land Use: Residential

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SITE DATA

SITE IS CURRENTLY OWNED BY:
THE EAST CAROLINA BANK
1816 PROGRESS ROAD
GREENVILLE, NC 27634

CONTACT: BOB MILAM
ROBERT.MILAM@MYECB.COM
800-945-2265

ADDRESS: 1410-1420 S. 14th STREET
PARCEL ID: R05414-021-002-000
EXISTING ZONING: R05414-021-003-000
OVERLAY ZONING: MF-M
PROPOSED ZONING: O&H-1 (CD)
CAMA LAND CLASSIFICATION: URBAN
NUMBER OF BUILDINGS: 2
BUILDING LOT COVERAGE: 21%
EXISTING IMPERVIOUS AREA: 0 SF (0%)
PROPOSED IMPERVIOUS AREA: 19,040 SF
BUILDING: 28,753 SF
PARKING: 1,940 SF
TOTAL: 47,743 SF (54.8%)

BULK REQUIREMENTS

	REQUIRED	PROVIDED
MIN. LOT AREA	15,000 SF	87,120 SF (2 AC.)
MIN. LOT WIDTH	30'	330'
MIN. FRONT SETBACK	20'	20'
MIN. SIDE SETBACK	20'	25.5'
MIN. SIDE CORNER SETBACK	20'	N/A
MIN. REAR SETBACK	40'	71'
MAX. BUILDING HEIGHT	40'	40'

* REAR SETBACK HAS BEEN INCREASED FROM THE REQUIRED 25 TO 40' TO ACCOUNT FOR THE BUILDING HEIGHT OF 40'

OFF-STREET PARKING REQUIREMENTS

	REQUIRED	PROVIDED
SCHOOL (1/ STAFF)=35	36	41
BICYCLE PARKING	5	5
HANDICAP PARKING	2	2

LANDSCAPE REQUIREMENTS

	REQUIRED	PROVIDED
STREET YARD		
PRIMARY STREET YARD (GREENFIELD STREET)	5,940 SF (330 LF X 18)	6,010 SF
SECONDARY STREET YARD (13th STREET)	2,160 SF (284' (24) LF X 9)	2,335 SF
SECONDARY STREET YARD (14th STREET)	2,160 SF (284' (24) LF X 9)	2,160 SF
FOUNDATION PLANTING (FACING PARKING/DRIVEWAYS)	12% FACADE AREA	12%
BUILDING A (284'25"=680' x 12)	792 SF	792 SF
BUILDING B (284'25"=210' x 12)	252 SF	252 SF

BUFFER YARD (ABUTTING RESIDENTIAL) 20'
BUFFER REDUCED TO 10' WIDTH WITH 8'-10' FENCE DUE TO EXISTING SIGNIFICANT TREES (TWO 20' OAKS IN PROPOSED TRAFFIC ISLAND) PURSUANT TO WILMINGTON LAND DEVELOPMENT CODE SECTION 18-489

WATER/SEWER USAGE

	CURRENT	PROPOSED
SEWER (10 gal. / student)	0 GPD	+/- 4500 GPD
WATER	0 GPD	+/- 5625 GPD

- GENERAL NOTES**
- SITE BOUNDARY, TREES, AND WETLAND INFORMATION TAKEN FROM SURVEY PROVIDED BY WITHERS & RAVENEL, DATED 03-01-09.
 - ADJACENT PROPERTY LINES, ARE BASED ON NEW HANOVER COUNTY G.L.S. DATA AND ARE APPROXIMATE.
 - EXISTING WATER AND SEWER LINES ARE OWNED BY CAPE FEAR PUBLIC UTILITY AUTHORITY.
 - EXISTING STORM DRAINAGE INFORMATION PROVIDED BY CITY OF WILMINGTON STORMWATER SERVICES.
 - ALL PROTECTED TREES WILL BE PRESERVED OR MITIGATED.
 - SITE IS NOT LOCATED WITHIN A 100-YEAR FLOOD ZONE.
 - SITE IS NOT LOCATED WITHIN A CONSERVATION OVERLAY DISTRICT.
 - SITE IS LOCATED WITHIN THE SOUTHSIDE SMALL AREA PLAN, ADOPTED BY WILMINGTON CITY COUNCIL SEPTEMBER 1, 2009.
 - SITE CONTAINS NO 404 WETLANDS.
 - ALL UTILITIES SHALL BE UNDERGROUND.
 - ALL SIGNS WILL BE LOCATED AND APPROVED BY THE CITY OF WILMINGTON PLANNING DEPARTMENT.
 - TACTILE WARNING MATS WILL BE INSTALLED ON ALL WHEELCHAIR RAMPS.
 - NO EXISTING DRIVEWAYS ARE TO BE CLOSED.
 - CONTRACTOR SHALL MAINTAIN ALL-WEATHER ACCESS FOR EMERGENCY VEHICLES AT ALL TIMES DURING CONSTRUCTION.
 - NO EQUIPMENT IS ALLOWED ON SITE UNTIL ALL TREE PROTECTION FENCING IS TO BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT, AND CONTRACTORS SHALL RECEIVE ADEQUATE INSTRUCTION ON TREE PROTECTION METHODS.
 - STOP SIGNS AND STREET SIGNS TO REMAIN IN PLACE DURING CONSTRUCTION.
 - ANY SIGNS TO BE MONUMENT STYLE AND/OR WALL SIGNS.
 - WATER AND SEWER SERVICE SHALL MEET OFPA DETAILS AND SPECIFICATIONS.
 - PROPOSED 2" WATER SERVICE WILL REQUIRE A STATE WATER PERMIT.
 - PROTECTIVE FENCING IS TO BE PROPERLY MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.
 - LAND CLEARING AND CONSTRUCTION CONTRACTORS SHALL RECEIVE ADEQUATE INSTRUCTION ON TREE PROTECTION REQUIREMENTS AND METHODS.
 - ANY TREES AND/OR AREAS DESIGNATED TO BE PROTECTED MUST BE PROPERLY BARICADED WITH FENCING AND PROTECTED THROUGHOUT CONSTRUCTION TO INSURE THAT NO CLEARING AND GRADING OR STAGING OF MATERIALS WILL OCCUR IN THOSE AREAS.
 - NO EQUIPMENT IS ALLOWED ON THE SITE UNTIL ALL TREE PROTECTION FENCING AND SILT FENCING HAS BEEN INSTALLED AND APPROVED.
 - REGULATED AND SIGNIFICANT TREES IN THE STREET YARD AND ANY TREES IN ANY REQUIRED BUFFERS ARE REQUIRED TO BE RETAINED.
 - ANY GROUND LEVEL MECHANICAL EQUIPMENT TO BE SCREENED AS NECESSARY.
 - BUILDING-A ALONG WITH REMAINING SITE IMPROVEMENTS WILL BE PREPARED UNDER THE FIRST PHASE OF DEVELOPMENT. BUILDING-B WILL BE DONE AS PHASE 2 OF THE DEVELOPMENT.
 - THIS PLAN IS PRELIMINARY AND IS SUBJECT TO CHANGE IN ACCORDANCE WITH PROVISIONS OF THE WILMINGTON LAND DEVELOPMENT CODE.

SYMBOL LEGEND

	STREET YARD AREA		BUFFER YARD
	FOUNDATION PLANTING		
	CONTOUR LINE (1' INTERVALS)		
	PROPOSED WATER LINES		
	PROPOSED SEWER		
	TREE TO BE REMOVED		

MIHALY LAND DESIGN
PLANNING • LANDSCAPE ARCHITECTURE
5725 Olander Dr., Suite A7
Wilmington, NC 28403 910.392.4355

Revisions

CLIENT
COASTAL HABITAT CONSERVANCY LLC
3610 THADDEUS LOTT LANE
LELAND, NC 28451
PHONE: 910-655-3600
CONTACT: BAKER MITCHELL

PROJECT
ROGER BACON SCHOOL
1410-1420 S. 14TH STREET
WILMINGTON, NC 28401
CONDITIONAL DISTRICT REZONING

Date: 03-19-2012
Phase: 000
Job Number: 100-360
Designed by: JWM
Drawn by: JRC
Checked by: JWM

Sheet Title: PRELIMINARY SITE PLAN

Sheet Number
L1.1
of 1 sheets

PRELIMINARY - NOT FOR CONSTRUCTION

**REPORT OF COMMUNITY MEETING REQUIRED BY
THE WILMINGTON CITY CODE FOR CD
REZONINGS**

To: Penelope Spicer-Sidbury, City Clerk

Case No.: CD 9-512

Location: 1410-1420 S. 14th Street, Wilmington, NC 28401

Proposed Zoning: MF-M~~10~~ O.I-1 (CD)

The undersigned hereby certifies that written notice of a community meeting on the above zoning application was given to the adjacent property owners set forth on the attached list by first class mail on (date) 4-11-12. A copy of the written notice is also attached.

The meeting was held at the following time and place: Hope Baptist Church
for All Nations, 1401 Greenfield St, Wilmington, NC

The persons in attendance at the meeting were: See attached list
of community members

The following issues were discussed at the meeting: re-zoning the site to
develop a Charter School on site. Some questions came
up regarding building placement and the building's
aesthetic.

As a result of the meeting, the following changes were made to the rezoning petition: _____

N/A no changes were necessary at
this time.

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APR 23 2012

PLANNING DIVISION

Date: 4/23/12

Applicant: Bashaw Jones, Community Relations

By: Coastal Habitat

Please submit this Report to the Wilmington City Clerk's Office located at 102 North 3rd Street or mail it to Penelope Spicer-Sidbury, City Clerk, PO Box 1810, Wilmington, NC 28402-1810.

CD-9-512

Roger Bacon School - Community Meeting Attendance Sheet

04/16/2012

<u>Name</u>	<u>Address</u>	<u>Phone</u>
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Cassandra Thompson	1540 S. 13th St.	254-4045
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Kyerra Rhall	811 Elance ²⁰⁴ Moore LN	910-431-2601
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Derrick Derrick Taylor	811 Elance ²⁰⁴ Moore Lane	910-297-3284
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Alena Ward	11011 Moore plaza	910-409-7920
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Precious Harper	11005 MOORE PLAZA	(910) 338-1417
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Laverne Carby	540 Barclay Hilda Dr.	910 392-2458
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Swanza Rhodes	811 Elance ²⁰⁴ Moore LN	910-616-9696
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M. DAVIS	4100 Vineyard Ln.	910 392 7182
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Swanta Sammis	515 Clover Rd. Wilmore NC	910 392-7186
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Hannah James	7515 Clover Rd. Wilmore NC	910-540-7589
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Barker Jones	1281 Greensview Cir	910-383-1242
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Patricia K. Hellyer	1000 Marston St	16-15
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APR 23 2012

PLANNING DIVISION

CD-9-512

1410-1420 South 14th Street Conditional District Zoning Request for Community Meeting

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PLANNING DIVISION

DATE: MONDAY APRIL 16, 2012

TIME: 6:00 PM - 7:00 PM

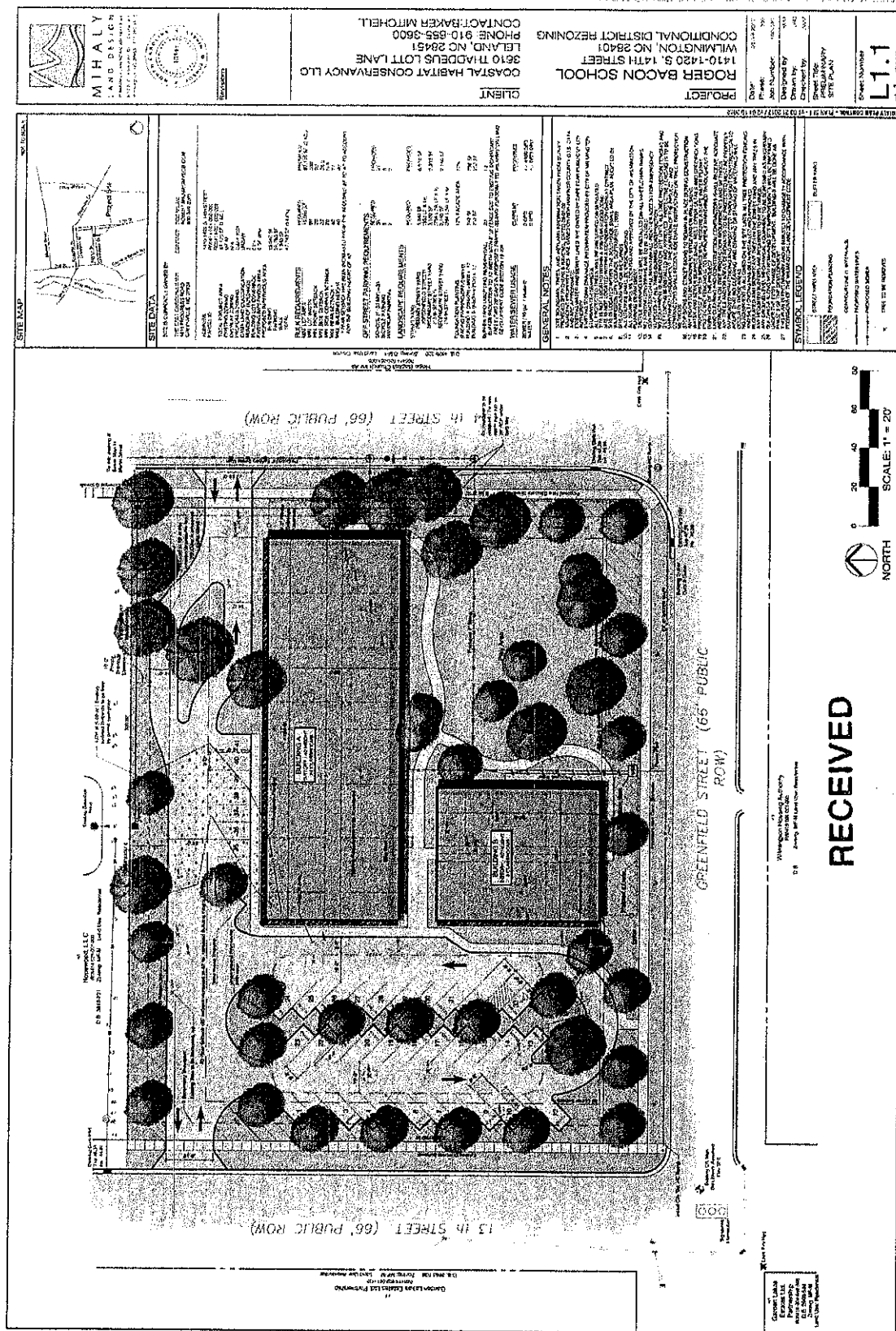
LOCATION: HOPE BAPTIST CHURCH FOR ALL NATIONS
1401 GREENFIELD STREET, WILMINGTON, NC

CONTACT: JOSH MIHALY - 910.392.4355

Please join us on Monday April 16th to review the current plans and proposals for the subject site. Coastal Habitat Conservancy LLC has submitted a Conditional District Rezoning Application to the City of Wilmington Planning Department to re-zone approximately 2 acres along Greenfield Street between 13th & 14th street from MF-M (Multi-Family Medium Density) to O&I-1 (Office & Institution I-CD). The purpose of this re-zoning request is to develop a Charter School on the site that would serve both local and neighboring communities and have the potential to house 450 students and 35-40 staff. The site lies within the cities "Southside Small Area Plan" adopted by the city council on September 1st 2009. The proposal challenges the goals and objectives described in the plan as well as meeting the cities land development ordinances. We would like to share our current proposal with the local community to discuss the project vision & many benefits we feel it will bring to the area.

CD-9-512

MIHALY
LAND DESIGN
PLANNING-LANDSCAPE ARCHITECTURE



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APR 23 2012

PLANNING DIVISION

CD-9-512